

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451
General Contact Number: 571-272-8500
Hearings Email: TTABHearings@uspto.gov

Opposition No. 91250143

Theragun, LLC

v.

Theragen, Inc.

August 11, 2021

Hearing Date: September 23, 2021

Time: 1:00 PM (EDT)

The Board has scheduled an oral hearing in the above-identified proceeding for the date and time indicated above.

Whenever any party has expressed its plan to attend the hearing by video conference, it is the party's responsibility to contact a USPTO video conference technician by email at VTCOPSDISTLIST@USPTO.gov no fewer than three business days prior to the confirmed hearing date with the following information: 1) the proceeding number(s); (2) the date and time of the hearing; and 3) the type of equipment that the party plans to use. A video conference technician will arrange a test of the equipment the party plans to use. The USPTO does not provide parties with the means to participate by video conference.

If any party, or its attorney, does not appear when the case is called, that party's right to an oral hearing will be considered to have been waived. Any party who intends not to be present for the oral hearing should notify the Board in advance of the hearing date.

Oral arguments will be limited to thirty minutes for the plaintiff and thirty minutes for the defendant. The plaintiff may reserve part of its time for rebuttal.

A party who wishes to reschedule an oral hearing with the consent of all parties must first determine at least three *agreed-upon*, non-consecutive dates and times, **and** file through ESTTA a written stipulation or consented motion confirming the parties' agreement to reschedule, and the proposed three new dates and times. The agreed-upon dates must be between six and fourteen weeks from the date of this order.

When all parties do *not* consent to the resetting of an oral hearing, the requesting party must file, through ESTTA, a motion showing good cause. *See* TBMP § 541.01.

Absent compelling circumstances or the consent of all other parties, the Board will not change a hearing date if the request to reschedule is made within two weeks of the scheduled hearing date.

Questions or inquiries regarding the hearing can be directed to TTABHearings@uspto.gov.